

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

IN RE: Justin Tyler Kennedy

#19-51252-RRM
Chapter 13
Filed 6/13/19
Confirmed August 13, 2019

NOTICE OF HEARING

Notice is hereby given that:

A hearing will be held on the Chapter 13 Trustee's Motion to Dismiss on August 9th, 2022 at 1:00 p.m. in the Bankruptcy Courtroom, located at James H. Quillen U.S. Courthouse, 220 West Depot St., Greeneville, TN 37743.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the motion and may enter and order granting that relief.

TRUSTEE'S MOTION TO DISMISS

The Chapter 13 Trustee moves to dismiss this case under 11 U.S.C. §1307 for one or more of the following reasons:

- ☒ Current plan arrearage is approximately \$968.00 since plan filed.
- ☐ Cumulative plan arrearage is approximately \$ based on prior Motion(s) to Dismiss.
- ☒ Secured creditors are behind.
- ☒ Case is no longer feasible due to: ☒ plan arrearages; ☐ excessive claims filed.
- ☐ Case has expired or is near expiration with an unpaid balance of \$_____.
- ☐ Debtor(s) failed to appear for scheduled 341 Meeting of Creditors.
- ☒ No payments have been made to the Trustee since 5/5/2022.
- ☒ The Trustee has not received the 2021 tax return per the confirmed plan.

SUBMISSION AND CERTIFICATE OF SERVICE BY CHAPTER 13 TRUSTEE

Based on information and belief, the Chapter 13 Trustee hereby certifies the correctness of the facts contained in this Motion to Dismiss, Notice of Hearing and proposed Order and hereby certifies that a true and exact copy of the same has been serviced by Electronic Case Filing (ECF) and/or by first class United States Mail (USM) postage prepaid on the following individuals as addressed below this July 5, 2022.

JUSTIN TYLER KENNEDY / (USM)
199 SAMBAR DRIVE

CLARKSVILLE, TN 37040-

CHARLES PARKS POPE (ECF)
THE POPE FIRM- JOHNSON CITY

s/ Gwendolyn M. Kerney (by en w/perm)___
Gwendolyn M. Kerney, #7280
Chapter 13 Trustee
314 Erin Drive, Ste. 201
Knoxville, TN 37919
(865) 524-4995

Tiffany Dilorio (ECF)
U.S. Trustee's Office